

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
(Lynchburg Division)**

**TRE'MANE FUQUA,**

**Plaintiff,**

**v.**

**CENTRA HEALTH, INC., et al.**

**Defendants.**

**Case No. 6:23-cv-00065**

**DEFENDANT CENTRA HEALTH, INC.'S ANSWER TO THE COMPLAINT**

Defendant Central Health, Inc. ("Centra"), by and through undersigned counsel, hereby files this Answer and responds to the Complaint as follows:

1. The allegations of paragraph 1 constitute legal conclusions to which no response is required. To the extent that a response is deemed necessary, the allegations are denied.
2. The allegations of paragraph 2 constitute legal conclusions to which no response is required. To the extent that a response is deemed necessary, the allegations are denied.
3. The allegations of paragraph 3 constitute legal conclusions to which no response is required. To the extent that a response is deemed necessary, the allegations are denied.
4. The allegations of paragraph 4 constitute legal conclusions to which no response is required. To the extent that a response is deemed necessary, the allegations are denied.
5. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 5, and they are therefore denied.
6. Admitted.
7. Defendant lacks knowledge or information sufficient to admit or deny the

allegations in paragraph 7, and they are therefore denied.

8. Admitted.

9. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 9, and they are therefore denied.

10. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 10, and they are therefore denied.

11. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 11, and they are therefore denied.

12. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 12, and they are therefore denied.

13. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 13, and they are therefore denied.

14. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 14, and they are therefore denied.

15. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 15, and they are therefore denied.

16. The allegations of paragraph 16 constitute legal conclusions to which no response is required. To the extent that a response is deemed necessary, the allegations are denied.

17. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 17, and they are therefore denied.

18. The allegations of paragraph 18 constitute legal conclusions to which no response is required. To the extent that a response is deemed necessary, the allegations are denied.

19. Defendant lacks knowledge or information sufficient to admit or deny the

allegations in paragraph 19, and they are therefore denied.

20. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 20, and they are therefore denied.

21. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 21, and they are therefore denied.

22. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 22, and they are therefore denied.

23. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 23, and they are therefore denied.

24. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 24, and they are therefore denied.

25. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 25, and they are therefore denied.

26. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 26, and they are therefore denied.

27. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 27, and they are therefore denied.

28. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 28, and they are therefore denied.

29. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 29, and they are therefore denied.

30. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 30, and they are therefore denied.

31. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 31, and they are therefore denied.

32. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 32, and they are therefore denied.

33. Denied.

34. Denied.

35. Denied.

36. Denied.

37. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 37, and they are therefore denied.

38. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 38, and they are therefore denied.

39. Denied.

40. Admitted.

41. The allegations of paragraph 41 constitute legal conclusions to which no response is required. To the extent that a response is deemed necessary, the allegations are denied.

42. Denied.

43. Denied.

COUNT I (42 U.S.C. § 1983 False Imprisonment)

44. Defendant incorporates its responses to the prior paragraphs as if set forth fully herein.

45. The allegations of paragraph 45 constitute legal conclusions to which no response is required. To the extent that a response is deemed necessary, the allegations are denied.

46. Denied.

47. Denied.

48. Denied.

49. Denied.

50. Denied.

51. Denied.

52. Denied.

53. Denied.

COUNT II (42 U.S.C. § 1983 Excessive Force)

54. Defendant incorporates its responses to the prior paragraphs as if set forth fully herein.

55. The allegations of paragraph 55 constitute legal conclusions to which no response is required. To the extent that a response is deemed necessary, the allegations are denied.

56. Denied.

57. Denied.

58. Denied.

59. Denied.

60. Denied.

61. Denied.

62. Denied.

COUNT III (42 U.S.C. § 1983 Failure to Train)

63. Defendant incorporates its responses to the prior paragraphs as if set forth fully herein.

64. Denied, including all of the paragraph's subparts.

65. Denied.

66. Denied.

67. Denied.

68. Denied.

COUNT IV (42 U.S.C. § 1983 Failure to Discipline)

69. Defendant incorporates its responses to the prior paragraphs as if set forth fully herein.

70. Denied, including all of the paragraph's subparts.

71. Denied.

72. Denied.

73. Denied.

74. Denied.

COUNT V (Assault & Battery)

75. Defendant incorporates its responses to the prior paragraphs as if set forth fully herein.

76. Denied.

77. Denied.

78. Denied.

79. Denied.

80. Denied.

81. Defendant lacks knowledge or information sufficient to admit or deny the allegations in paragraph 81.

82. Denied.

83. Denied.

COUNT VI (Negligence)

84. Defendant incorporates its responses to the prior paragraphs as if set forth fully herein.

85. Denied.

86. Denied.

87. Denied.

88. Denied.

89. Denied.

90. Denied.

91. Denied.

92. Denied.

93. Denied.

The demand in the AD DAMNUM paragraph (“WHEREFORE”) of Plaintiff’s Complaint contains legal conclusions regarding the relief Plaintiffs seek, for which no response is required. To the extent that a response may be required, Centra Health denies that it is liable to Plaintiff in any amount and for any reason.

AFFIRMATIVE DEFENSES

Centra Health hereby asserts the following affirmative defenses:

1. Defendant denies any and all allegations set forth in the Complaint to the extent they are not specifically admitted hereto in this Answer.

2. The Complaint fails to state a claim upon which relief can be granted against this Defendant.

3. Any acts or omissions, which Plaintiffs allege on the part of this Defendant or its agents were not a proximate cause or factor of the damages referred to and identified in Plaintiff's Complaint.

4. Plaintiffs' claims may be barred due to their own negligence.

5. Centra Health reserves the right to amend its Answer and assert any other defenses which may be warranted as discovery proceeds in this action.

Rule 38(b)(1)

Defendant respectfully requests a trial by jury.

Dated: April 1, 2024

Respectfully submitted,

CENTRA HEALTH, INC.  
By Counsel

/s/Matthew W. Lee

Matthew W. Lee (VSB No. 40067)  
WILSON ELSER MOSKOWITZ  
EDELMAN & DICKER LLP  
8444 Westpark Drive  
Suite 510  
McLean, VA 22102-5102  
Phone: (703) 852-7788  
Fax: (703) 245-9301  
matthew.lee@wilsonelser.com  
*Counsel for Defendant Centra Health, Inc.*



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 1st day of April, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Matthew W. Lee

Matthew W. Lee